

MEMORANDUM

DATE: March 14, 2001

TO: Division of Shellfish Sanitation Staff

FROM: Robert E. Croonenberghs, PhD, Director
Division of Shellfish Sanitation

THROUGH: Robert W. Hicks, Director
Office of Environmental Services

THROUGH: E. Anne Peterson, MD, MDH
State Health Commissioner

SUBJECT: Plants - Policy for Virginia's Public Health Shellfish Program

Purpose:

The purpose of this protocol is to establish the Department of Health's official policy for the public health aspects of the Commonwealth's shellfish program.

Description:

The legal basis for the shellfish program in Virginia is contained in sections 28.2-800 - 825 of the *Code of Virginia* (the Code). Further, §28.2-806 of the Code specifically states that "The State Health Commissioner may establish and change standards, examinations, analysis and inspections which control the taking and marketing from a health standpoint, of crustacea, finfish or shellfish."

On May 1, 1969, the Commissioner of Marine Resources and the State Health Commissioner signed the "Agreement of Cooperative Procedures for Administering and Regulating the Sanitary Control of the Shellfish Industry by the Virginia State Department of Health and the Marine Resources Commission" (see Working Memo 147). This agreement delineates the various programs carried out by each Department concerning Virginia's shellfish program.

In order for states to ship their products on interstate markets, their programs must be approved by the U.S. Food and Drug Administration to meet the minimum requirements of the National Shellfish Sanitation Program (NSSP). These minimum requirements are contained in the NSSP Model Ordinance, and the current version is the 1999 revision.

Conclusion:

Pursuant to §28.2-806 of the Code, this working memo establishes that the Virginia Department of Health shall adopt the requirements of the NSSP Model Ordinance, 1999 revision, as the basic standards for carrying out its portion of Virginia's shellfish program.